

AMENDMENT NO. _____ Calendar No. _____

Purpose: To make a technical correction.

IN THE SENATE OF THE UNITED STATES—110th Cong., 1st Sess.

S. 2191

To direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____

Viz:

1 Strike section 6001 and insert the following:

2 **SEC. 6001.** _____ .

3 In this title:

4 (1) **BASELINE EMISSION LEVEL.**—The term
5 “baseline emission level” means, as determined by
6 the Administrator, the total average annual green-
7 house gas emissions attributed to a category of cov-
8 ered goods of a foreign country during the period be-
9 ginning on January 1, 2012, and ending on Decem-
10 ber 31, 2014, based on—

1 (A) relevant data available for that period;
2 and

3 (B) to the extent necessary with respect to
4 a specific category of covered goods, economic
5 and engineering models and best available infor-
6 mation on technology performance levels for the
7 manufacture of that category of covered goods.

8 (2) COMPARABLE ACTION.—The term “com-
9 parable action” means any greenhouse gas regu-
10 latory programs, requirements, and other measures
11 adopted by a foreign country that, in combination,
12 are comparable in effect to actions carried out by
13 the United States to limit greenhouse gas emissions
14 pursuant to this Act, as determined by the Presi-
15 dent, taking into consideration the level of economic
16 development of the foreign country.

17 (3) COMPLIANCE YEAR.—The term “compliance
18 year” means each calendar year for which the re-
19 quirements of this title apply to a category of cov-
20 ered goods of a covered foreign country that is im-
21 ported into the United States.

22 (4) COVERED FOREIGN COUNTRY.—The term
23 “covered foreign country” means a foreign country
24 that is included on the covered list prepared under
25 section 6006(b)(3).

1 (5) COVERED GOOD.—The term “covered good”
2 means a good that (as identified by the Adminis-
3 trator by rule)—

4 (A) is a primary product;

5 (B) generates, in the course of the manu-
6 facture of the good, a substantial quantity of
7 direct greenhouse gas emissions and indirect
8 greenhouse gas emissions; and

9 (C) is closely related to a good the cost of
10 production of which in the United States is af-
11 fected by a requirement of this Act.

12 (6) FOREIGN COUNTRY.—The term “foreign
13 country” means a member of, or observer govern-
14 ment to, the World Trade Organization (WTO),
15 other than the United States.

16 (7) INDIRECT GREENHOUSE GAS EMISSIONS.—
17 The term “indirect greenhouse gas emissions”
18 means any emissions of a greenhouse gas resulting
19 from the generation of electricity that is consumed
20 during the manufacture of a good.

21 (8) INTERNATIONAL AGREEMENT.—The term
22 “international agreement” means any international
23 agreement to which the United States is a party, in-
24 cluding the Marrakesh agreement establishing the

1 World Trade Organization, done at Marrakesh on
2 April 15, 1994.

3 (9) INTERNATIONAL RESERVE ALLOWANCE.—

4 The term “international reserve allowance” means
5 an allowance (denominated in units of metric tons of
6 carbon dioxide equivalent) that is—

7 (A) purchased from a special reserve of al-
8 lowances pursuant to section 6006(a)(2); and

9 (B) used for purposes of meeting the re-
10 quirements of section 6006.

11 (10) PRIMARY PRODUCT.—The term “primary
12 product” means—

13 (A) iron, steel, aluminum, cement, bulk
14 glass, or paper; or

15 (B) any other manufactured product
16 that—

17 (i) is sold in bulk for purposes of fur-
18 ther manufacture; and

19 (ii) generates, in the course of the
20 manufacture of the product, direct green-
21 house gas emissions and indirect green-
22 house gas emissions that are comparable
23 (on an emissions-per-dollar basis) to emis-
24 sions generated in the manufacture of

1 products by covered facilities in the indus-
2 trial sector.